

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed October 3, 2005. At the time of the Final Office Action, Claims 1, 3-11 and 13-22 were pending in this Application. Claims 17-22 were rejected, and Claims 1, 3-11 and 13-16 were allowed. Claims 2 and 12 were previously cancelled by Applicants without prejudice or disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

#### **Rejections under 35 U.S.C. § 102**

Claims 17-22 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,674,688 issued to Hiroshi Kanesaka ("Kanesaka"). Applicants respectfully submit the cited art does not teach all of the elements of the claimed embodiment of the invention as amended.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the Claims as amended.

According to the independent claim 17, the valve body includes a reservoir in the shape of an annular groove. This reservoir is arranged coaxially to the guiding surface and has a depth (T) of about half the guide length (L). The Examiner stated that Kanesaka discloses such a reservoir in Fig. 3. Applicants respectfully disagree. The claim language requires a reservoir in the shape of an annular groove. Even though Kanesaka discloses such an annular groove, this annular groove does not have a depth of about half the guide length but merely of a fourth of that length as shown in Fig. 3. The Examiner included apparently the top part of the chamber into the length of the reservoir. However, the claim clearly limits the reservoir to an annular groove. Thus, the top part of the chamber as shown in Fig. 3 of

Kanesaka cannot be included into the length of the annular groove. Therefore Applicants believe that all pending claims are allowable.

Applicants respectfully submit that the dependent Claims 18-22 are allowable at least to the extent of the independent Claim 17 to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

**Allowable Claims**

Claims 1, 3-11 and 13-16 were allowed.

**CONCLUSION**

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2580.

Respectfully submitted,  
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